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January 24, 2008

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Honorable Colleen McMahon
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

**Re: Mitsui Sumitomo Insurance Company, Ltd.
v. Union Pacific and Evergreen Marine Corp.
S.D.N.Y. 07 CIV. 3874 (CM)
Our File: UP-2718**

JOINT APPLICATION

Dear Judge McMahon:

Our office represents the defendants in this action which involves a claim for damage to an intermodal cargo shipment as a result of a derailment. I write to respectfully inform the Court that while progress has been made in narrowing certain issues, a short extension of the case management deadlines is needed to complete discovery.

Plaintiff's counsel joins in by respectfully requesting a forty five-day extension of the remaining case-management deadlines. For the Court's convenience annexed is a copy of the Case Management Plan presently in effect and a proposed Revised Case Management Plan. This is the second request for an extension of the case management plan. The Court's attention is appreciated.

Respectfully Submitted,


Barry Gutterman

BNG/jh
Encl. (6 pages)

cc: David L. Mazaroli, Esq.
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Attorney for Plaintiff

USDS SDNY
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